

EIGHTH DAY

(Wednesday, January 28, 1959)

The Senate met at 10:30 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lane	Wood

Absent—Excused

Hazlewood

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

Leave of Absence

Senator Hazlewood was granted leave of absence for today on account of important business on motion of Senator Baker.

Message from the House

Hall of the House of Representatives,
Austin, Texas,
January 28, 1959.

Hon. Ben Ramsey, President of the Senate:

Sir: I am directed by the House to inform the Senate that the House has passed the following:

S. C. R. No. 7, Public Schools Week in Texas.

S. C. R. No. 8, Authorizing the enrolling clerk of the House to make certain corrections to H. B. No. 1.

Respectfully submitted,

DOROTHY HALLMAN,
Chief Clerk, House of Representatives

Senate Resolution 29

Senator Baker offered the following resolution:

Whereas, We are honored today to have in the gallery of the Senate the Student Council and History Class of the Aldine School District accompanied by their teachers, Mr. L. V. Gregg, Mr. Carl R. Hearne, Mr. Don Hansen, Miss Mary Raby, Mrs. Rebecca Wilcox and Miss Joan Kennedy; and

Whereas, These students are on an educational tour of the Capitol Building and the Capital City; and

Whereas, This fine group of young American citizens is here to observe and to learn at firsthand the workings of their State government; now, therefore, be it

Resolved, That we officially recognize and welcome these guests and commend them for their interest; and that a copy of this Resolution, properly endorsed, bearing the official seal of the Senate, be mailed to them in recognition of their visit.

The resolution was read and was adopted.

Senator Baker by unanimous consent presented the students and teachers to the Members of the Senate.

Senate Resolution 31

Senator Rogers offered the following resolution:

Whereas, Miss Jan Barton, Matador, Motley County, has served as State Vice-Chairman of the Texas State 4-H Club Council; and

Whereas, She has served and participated for eight (8) years in the work of her local 4-H Club; and

Whereas, Jan has consistently demonstrated her leadership ability in public speaking, dress revues, and citizenship areas; and

Whereas, She was chosen because of her outstanding 4-H work to present the annual State 4-H Club reports to Governor Price Daniel on January 23, 1959; and

Whereas, Jan presented her portion of this report with clear conciseness and articulate ability which paid tribute to her leadership qualities; now, therefore, be it

Resolved, By the Senate of the

State of Texas, that Jan Barton be extended the congratulations of this body on her long and commendable work and service in the work of Texas 4-H Club.

The resolution was read and was adopted.

Senate Bills on First Reading

The following bills were introduced, read first time and referred to the committee indicated:

By Senator Krueger:

S. B. No. 47, A bill to be entitled "An Act amending Article 602, Penal Code of Texas, 1925, and adding a new Article to be numbered Article 602-A, so as to define what shall constitute willfully deserting, neglecting or refusing to provide for the support and maintenance of a wife in necessitous circumstances and to define what shall constitute willfully deserting, neglecting or refusing to provide for the support and maintenance of one's child or children under sixteen years of age; fixing a penalty; providing that a second conviction for a like offense and conviction for deserting and leaving the state shall be a felony; providing for severance of any part of this Act held invalid; and declaring an emergency."

To the Committee on Jurisprudence.

By Senator Smith:

S. B. No. 48, A bill to be entitled "An Act establishing the Andrews County Juvenile Board; prescribing its membership and powers and providing for compensation of its members; repealing conflicting laws; providing for severability; and declaring an emergency."

To the Committee on Jurisprudence.

By Senator Smith:

S. B. No. 49, A bill to be entitled "An Act changing the name of the Hockley County Junior College District, established in Hockley County, Texas, and enlarged by annexation into Cochran County, Texas, to the 'South Plains Junior College District,' providing that all powers under law, special or general, granted or vested in said District, shall be the same under the new name, providing that all rights, appurtenances, prop-

erty, things of value, contracts, obligations, belonging to the Hockley County Junior College District, Hockley County, Texas, or South Plains Junior College District, are ratified and confirmed in behalf of the South Plains Junior College District; providing a repealing clause, saving clause, and declaring an emergency."

To the Committee on Education.

By Senator Smith:

S. B. No. 50, A bill to be entitled "An Act to provide for the conservation and prevention of waste of underground water and to protect underground water reservoirs from pollution; defining certain terms; providing for the administration of this Act; providing for registration of water well drillers; authorizing promulgation of rules; providing for an examining panel; prescribing its duties, providing for its organization and meetings, and fixing the compensation of its members; fixing certain registration, renewal and permit fees; provide for water well logs and their preservation; creating a special fund to be known as the 'Water Well Drillers' Fund'; making an appropriation; containing a 'grandfather clause'; providing for revocation, expiration, renewal, and reissuance of certificates; providing for judicial review; providing exemptions; providing that this Act shall not affect ownership of underground water; prescribing penalties; providing for reciprocity; providing for severability; and declaring an emergency."

To the Committee on Water and Conservation.

By Senator Moffett:

S. B. No. 51, A bill to be entitled "An Act creating a conservation and reclamation district under Article XVI, Section 59, of the Constitution comprising certain territory contained within Wichita County, to be known as the 'Wichita County Water Control and Improvement District No. 6,' for the purpose of providing or acquiring a source or sources of water supply for municipal, domestic, industrial, and mining uses and processing and distributing the same and for the purpose of providing or acquiring a sanitary sewer system; providing for a Board of Directors to govern said district; providing for the annexation of additional territory thereto; authorizing the district to do all things

to make available for the above-named uses underground water or water from surface sources and water it may obtain by purchase, lease, and operation of contracts with persons, firms, corporations and public agencies or the United States Government or any of its agencies; empowering the district to acquire land and construct, lease or otherwise acquire all facilities necessary or useful in diverting, impounding, storing, processing, or distributing water for the above-named purposes; authorizing the district to lease or acquire rights in and to storage and storage capacity in any reservoir; authorizing the issuance of bonds and making provision for the payment and security thereof; making applicable to the district Title 52, Revised Civil Statutes, as amended, relating to eminent domain, and declaring the district to be a municipal corporation within the meaning of Article 3268 of Title 52; providing that the district shall bear the expense of relocation, raising, or rerouting of any highway, railroad, or utility lines or pipelines made necessary by its exercise of the power of eminent domain; prescribing other powers and duties of the district; enacting other provisions relating to the subject; providing that nothing in this Act shall be interpreted to repeal or amend Article 7471, Revised Civil Statutes of Texas; providing for severability; and declaring an emergency."

To the Committee on Water and Conservation.

By Senator Martin:

S. B. No. 52, A bill to be entitled "An Act transferring criminal jurisdiction in misdemeanor cases from Ellis County District Court to County Court of Ellis County, Texas; providing for the transfer as to pending cases and the enforcement of judgments heretofore rendered; and declaring an emergency."

To the Committee on Jurisprudence.

By Senator Herring:

S. B. No. 53, A bill to be entitled "An Act providing for payment of pensions to Former Texas Rangers and their widows under certain conditions, pursuant to Article XVI, Section 66 of the Constitution of Texas; providing conditions of eligibility and procedures for payment; making

an appropriation for such payments; providing for severability; and declaring an emergency."

To the Committee on Finance.

By Senator Gonzalez:

S. B. No. 54, A bill to be entitled "An Act relating to eligibility requirements of persons who may receive benefits from programs paid out of public funds and administered by the Board and Department of Public Welfare and admission to the eleemosynary institutions of this State by providing that the requirement of United States citizenship shall be waived as to any such person who meets the other requirements specified in this Act; providing severability and declaring an emergency."

To the Committee on State Affairs.

By Senator Gonzalez:

S. B. No. 55, A bill to be entitled "An Act amending Chapter 276, Acts of the 45th Legislature, 1937, as subsequently amended (codified under Article 8280-119, Vernon's Annotated Civil Statutes of the State of Texas), by adding a new section to said Act providing that all bonds of the San Antonio River Authority shall be legal and authorized investments for banks, savings banks, trust companies, building and loan associations, savings and loan associations, insurance companies, fiduciaries, trustees, guardians, and for the sinking funds of cities, towns, villages, counties, school districts, or other political corporations or subdivisions of the State of Texas, and that all bonds of the San Antonio River Authority shall be eligible to secure the deposit of any and all public funds of the State of Texas, and any and all public funds of cities, towns, villages, counties, school districts, or other political corporations or subdivisions of the State of Texas, to the extent of their value when accompanied by all unmatured coupons appurtenant thereto; and declaring an emergency."

To the Committee on State Affairs.

By Senator Herring:

S. B. No. 56, A bill to be entitled "An Act amending Section 22 of Chapter 52, Acts of the 41st Legislature, 1st Called Session, 1929, compiled as Section 22 of Article 1525b, Vernon's Annotated Penal Code re-

lating to the control and eradication of bovine tuberculosis; providing a penalty for violation and declaring an emergency."

To the Committee on Agriculture and Livestock.

By Senator Herring:

S. B. No. 57, A bill to be entitled "An Act amending Sections 1 and 3 of Senate Bill 5, Acts of the 44th Legislature, Second Called Session, 1935, chapter 465, page 1762, as amended, codified in Vernon's as Section 1 and 3 of Article 3912e, Vernons Civil Statutes, so as to permit the collection of fees and commissions by County Officers from the State or County for services rendered by such County Officers in connection with the acquisition of rights of way for public roads or highways, and in eminent domain proceedings; providing that such fees in Counties where the County Officers are compensated on a salary basis shall be deposited in the Officers' Salary Fund of the County. repealing all laws in conflict and declaring an emergency."

To the Committee on Jurisprudence.

By Senators Colson, Willis and Moffett:

S. B. No. 58, A bill to be entitled "An Act changing the name of the Livestock Sanitary Commission to the Texas Animal Health Commission; and declaring an emergency."

To the Committee on Agriculture and Livestock.

By Senator Gonzalez:

S. B. No. 59, A bill to be entitled "An Act to authorize counties to establish the office of public defender; excepting counties of less than two hundred and fifty thousand (250,000) population; providing qualifications; providing for appointment; setting forth duties; providing for expenses and salary; providing for records and reports; making the Act cumulative; and declaring an emergency."

To the Committee on Jurisprudence.

By Senator Willis:

S. B. No. 60, A bill to be entitled "An Act to provide a sick leave policy for all teachers employed in the Texas Public Schools, setting out the minimum program, providing for reports, providing for financing, providing a severability clause, and declaring an emergency."

To the Committee on Education.

By Senator Willis:

S. B. No. 61, A bill to be entitled "An Act amending Section 1 of Article 8309 of the Revised Civil Statutes of Texas, 1925, as amended, to re-define the term 'average weekly wages' as used in said Act; and declaring an emergency."

To the Committee on State Affairs.

Adjournment

On motion of Senator Hardeman the Senate at 10:54 o'clock a.m. adjourned until 10:30 o'clock a.m. tomorrow.

In Memory of
Mrs. Gaylord J. Stone

Senator Willis offered the following resolution:

(Senate Resolution 30)

Whereas, In the passing of Mrs. Gaylord J. Stone from this earthly life on the second day of January in the year of our Lord, Nineteen Hundred Fifty-nine, the City of Fort Worth and the State of Texas lost one of their most prominent and beloved women; and

Whereas, This fine Christian lady was the widow of the late Gaylord J. Stone, an outstanding leader in industrial and civic affairs and a great Texan; and

Whereas, Mr. and Mrs. Stone demonstrated their belief in the future of the Southwest when they moved in 1921 from their ancestral estate in Maryland to Fort Worth. They abandoned the comforts and conveniences of a home firmly established by their forbears to follow in the footsteps of Stephen F. Austin, Sam Houston and Jim Hogg in pioneering the development of the great resources of Texas to the use and benefit of their fellow men; and

Whereas, This kind and gracious lady was deeply devoted to God, Community, State and Nation. She loved her family to the extent of self-sacrifice and was widely known for her service to those who needed a helping hand. She practiced throughout life her sincere belief that a person should achieve successes commensurate with his or her natural abilities and individual endeavor; and

Whereas, Mrs. Stone is survived by three daughters, Mrs. W. D. Waltman, Mrs. George Wolf III, Miss Mary Elizabeth Stone, and six grandchildren; now, therefore, be it

Resolved, That a page in the Senate Journal be set aside in memory and as a tribute to this great lady; and that when the Senate adjourns today it do so in her honor and memory; and, be it further

Resolved, That a copy of this Resolution be sent to the members of her family with the deepest sympathy of the Senate of Texas.

The resolution was read and was adopted by a rising vote of the Senate.